

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 7147

BILL NUMBER: SB 452

NOTE PREPARED: Jan 15, 2003

BILL AMENDED:

SUBJECT: Forfeiture of Illegal Charity Gaming Proceeds.

FIRST AUTHOR: Sen. Meeks C

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: The bill requires that money forfeited for a violation of the professional gambling law be deposited in the state General Fund, and prohibits imposing a civil penalty in lieu of forfeiture to circumvent the requirement that forfeited funds be deposited in the state General Fund.

Effective Date: July 1, 2003.

Explanation of State Expenditures:

Explanation of State Revenues: The bill requires that any currency seized by the Department of State Revenue from charity gaming permit holders violating the charity gaming statutes, or by the Excise Police from alcohol beverage permit holders conducting illegal gambling operations, must be deposited in the state General Fund.

The Criminal Investigations Division of the Department of State Revenue reports that currency seizures are not made from charity gaming violators. Reportedly, seizures usually involve records and sometimes pull tabs, punchboards, tip boards, and other gaming devices. These materials are typically returned to the distributor, with the permit holder receiving some type of refund or credit from the distributor. Reportedly, seizures by the Excise Police from alcohol beverage permit holders conducting illegal gambling typically involve currency. This money is deposited in the Alcohol and Tobacco Commission's Enforcement and Administration Fund. Such currency seizures by the Excise Police totaled \$14,460 in 2001 and \$41,409 in 2002.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of State Revenue; Alcohol and Tobacco Commission.

Local Agencies Affected:

Information Sources: Butch Jerrell, Department of State Revenue, (317) 232-3364. Penny Davis, Alcohol and Tobacco Commission, (317) 232 2462. Mary DePrez, Alcohol and Tobacco Commission, (317) 232-2444.

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